

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
CATHERINE MCKOY, et al.,

Plaintiffs,

-v-

THE TRUMP CORPORATION and DONALD J. TRUMP,  
in his personal capacity,

Defendants.

CIVIL ACTION NO.: 18 Civ. 9936 (LGS) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

The Court resolved telephonically three disputes that arose today, August 2, 2023, during the deposition of non-party Al Plumb, one of four independent business owners (“IBO”) affiliated with non-party ACN Opportunity, LLC (“ACN”) who submitted declarations (the “Declarations”) in support of Defendants’ motion for summary judgment (see ECF No. 594 ¶¶ 11(F)–(I)) and whom the Court has permitted Plaintiffs to depose (the “IBO Witnesses”). (See ECF No. 614). The Court’s rulings and guidance, which shall apply to the depositions of each of the IBO Witnesses, are summarized as follows:

1. The Court sustained Mr. Plumb’s objection to the question of whether he considers himself to be a “political supporter” of any particular political candidate, but gave Plaintiffs’ counsel guidance as to more specific questions that were permissible on the topic of providing political support.
2. The Court granted Plaintiffs’ request to compel the IBO Witnesses’ testimony regarding (i) their definition of the term “successful” as used in the Declarations, and (ii) the amount(s) of any monthly or annual payments they receive from ACN.

3. The Court permitted Plaintiffs to question IBO Witness Angelique Davis regarding her use of any other legal names, and to confirm whether Ms. Davis is or was a party to particular court proceedings.

The Court's full rulings and guidance are reflected in the transcript of the call made by the deposition court reporter. The Court also recorded the call.

Dated: New York, New York  
August 2, 2023

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge